

BOARD OF ZONING APPEALS AGENDA
MARCH 31, 2009

NOTICE IS HEREBY GIVEN pursuant to Sect. 18-110 of the Zoning Ordinance that, at a meeting to be held in the Board Room, Government Center Building, 12000 Government Center Parkway, March 31, 2009, the Board of Zoning Appeals will hold a public hearing on the following applications at the time indicated. At the said public hearing any and all interested persons will be given an opportunity to express their views regarding the application. If you desire to be placed on the speakers' list, or to check on whether the status of the public hearing has changed, call the Zoning Evaluation Division at 324-1280. The following information is a descriptive summary only of the application. Interested parties may review the application or pick up a copy of the staff report at the Zoning Evaluation Division of the Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801. In addition, copies of the staff report are available at the office of the member of the Board of Supervisors in whose district the application property is located. ADA: Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 (TTY 711 Virginia Relay Center).

MATTERS PRESENTED BY BOARD MEMBERS

- 9:00 A.M. JOEL MARTIN MALINA, TRUSTEE & NANCY CORWIN MALINA, TRUSTEE, SP 2009-BR-003 Appl. under Sect(s). 8-922 of the Zoning Ordinance to permit reduction of certain yard requirements to permit construction of addition 13.5 ft. from the rear lot line. Located at 5004 Margaret Ct. on approx. 13,247 sq. ft. of land zoned R-3. Braddock District. Tax Map 70-3 ((17)) 17.
SC
Approved
- 9:00 A.M. TERRY C AND ELLEN P SMITH, SP 2009-HM-005 Appl. under Sect(s). 8-914 and 8-922 of the Zoning Ordinance to permit reduction to minimum yard requirements based on error in building location to permit dwelling to remain 16.0 ft. from side lot line and reduction of certain yard requirements to permit construction of addition 16.3 ft. from the side lot line. Located at 2587 Babcock Rd. on approx. 1.0 ac. of land zoned R-1. Hunter Mill District. Tax Map 38-3 ((3)) 2.
SC
Approved
- 9:00 A.M. WILLIAM PAXTON, SP 2009-DR-004 Appl. under Sect(s). 8-922 of the Zoning Ordinance to permit reduction of certain yard requirements to permit dwelling to remain such that side yards total 36.5 ft. Located at 9706 Locust Hill Dr. on approx. 21,000 sq. ft. of land zoned R-1 (Cluster). Dranesville District. Tax Map 19-1 ((9)) 15.
DH
Approved
- 9:00 A.M. DAVID W. AND JESSICA M. DIVELY, VC 2009-MV-001 Appl. under Sect(s). 18-401 of the Zoning Ordinance to permit a lot width of 41.83 ft. Located at 8215 Riverside Rd. on approx. 38,623 sq. ft. of land zoned R-3. Mt. Vernon District. Tax Map 102-3 ((1)) 17C.
DH
Approved
- 9:00 A.M. ANTHONY NGUYEN, SP 2008-MA-097 Appl. under Sect(s). 8-918 of the Zoning Ordinance to permit accessory dwelling unit. Located at 3811 Whispering La. on approx. 14,543 sq. ft. of land zoned R-2 and HC. Mason District. Tax Map 61-3 ((13)) 241. (Admin. moved from 2/10/09 at appl. req.)
SJ
Admin.
Moved to
4/14/09 at
appl. req.
- 9:00 A.M. ERICA STATMAN, SP 2009-PR-001 Appl. under Sect(s). 8-907 of the Zoning Ordinance to permit a home professional office. Located at 3908 Prince William Drive on approx. 27,697 sq. ft. of land zoned R-2. Providence District. Tax Map 58-4- ((10)) 35A.
SJ
Withdrawn

- 9:00 A.M. HERMILIO MACHICAO, SP 2009-LE-007 Appl. under Sect(s). 8-914 and 8-923 of the Zoning Ordinance to permit reduction to minimum yard requirements based on error in building location to permit dwelling to remain 13.2 ft. with eave 12.1 ft. from a front lot line and permit construction of fence greater than 4.0 ft. in height in the front yard of a corner lot. Located at 5901 Amherst Ave. on approx. 11,268 sq. ft. of land zoned R-4. Lee District. Tax Map 80-4 ((4)) (1) 1.
SJ
Approved
- 9:30 A.M. MARK AND SUSAN STADSKLEV, A 2008-DR-009 Appl. under sect(s). 18-301 of the Zoning Ordinance. Appeal of a determination that a detached garage is not in substantial conformance with the development conditions of Variance VC 2002-DR-139. Located at 2310 Westmoreland St. on approx. 1.63 ac. of land zoned R-4. Dranesville District. Tax Map 40-4 ((1)) 44A. (Admin. moved from 6/3/08 and 8/5/08 at appl. req.) (Decision deferred from 9/9/08 and 10/28/08 at appl. req.)
SCL
Decision
Deferred to 6/30/09 at appl. req.
- 9:30 A.M. MARK AND SUSAN STADSKLEV, A 2008-DR-026 Appl. under sect(s). 18-301 of the Zoning Ordinance. Appeal of a determination that appellants have engaged in development and tree removal that is not in conformance with the conditions of Variance VC 2002-DR-139 and without a valid Building Permit, have established a storage yard, and have outdoor storage that is not properly located, all on property in the R-4 District in violation of Zoning Ordinance provisions. Located at 2310 Westmoreland St. on approx. 1.63 ac. of land zoned R-4. Dranesville District. Tax Map 40-4 ((1)) 44A. (Decision deferred from 9/9/08 and 10/28/08 at appl. req.)
SCL
Decision
Deferred to 6/30/09 at appl. req.
- 9:30 A.M. APOLONIA FUENTES, A 2008-PR-055 Appl. under sect(s). 18-301 of the Zoning Ordinance. Appeal of a determination that appellant is not operating a child care center in compliance with the conditions of Special Permit SP 99-P-050, has established a second dwelling unit on property in the R-1 District, and has made construction modifications to the dwelling without Building Permit approval, all in violation of Zoning Ordinance provisions. Located at 8615 Hilltop Rd. on approx. 31,750 sq. ft. of land zoned R-1. Providence District. Tax Map 49-1 ((5)) 17A. (Admin. moved from 12/9/08 and 1/27/09 at appl. req.)
DP
Admin.
Moved to 6/30/09 at appl. req.
- 9:30 A.M. THIEN VU, A 2008-BR-071 Appl. under sect(s). 18-301 of the Zoning Ordinance. Appeal of a determination that appellant is maintaining a second dwelling unit located in an accessory structure which exceeds seven feet in height, was erected without a valid Building Permit and does not meet minimum side yard requirements, all on property in the R-C District in violation of Zoning Ordinance provisions. Located at 4409 Shirley Gate Rd. on approx. 1.0 ac. of land zoned R-C. Braddock District. Tax Map 56-4 ((6)) 5.
CF
Upheld
- 9:30 A.M. RAJ MEHRA, A 2008-DR-072
Admin.
Withdrawn
- 9:30 A.M. BENTLEY PROPERTIES, LLC AND PAPERMOON-SPRINGFIELD, INC., A 2008-LE-073 Appl. under sect(s). 18-301 of the Zoning Ordinance. Appeal of a determination that appellants are permitting occupancy of property by an excessive number of persons allowable under Non-Residential Use Permit #A-0599-08 and have expanded the parking area in violation of Zoning Ordinance provisions. Located at 6315 Amherst Av. on approx. 1.2 ac. of land zoned C-6, H-C, CRD and SC. Lee District. Tax Map 80-4 ((1)) 9.
CB
Decision
Deferred to 4/7/09